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3 Pages

*Suzanne Henderson*

Suzanne Henderson

CITY SECRETARY  
CONTRACT NO. \_\_\_\_\_

**MEMORANDUM OF OIL AND GAS LEASE**

STATE OF TEXAS

§

COUNTY OF TARRANT

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KNOW ALL MEN BY THESE PRESENTS:

§

BE IT REMEMBERED that on the 26<sup>th</sup> day of August, 2009, a Paid Up Oil and Gas Lease was made and entered into by and between the **CITY OF FORT WORTH, a home rule municipal corporation of the State of Texas**, 1000 Throckmorton Street, Fort Worth, Texas 76102, hereinafter called "(LESSOR)"; and **XTO Energy Inc.**, 810 Houston Street, Fort Worth, Texas 76102, hereinafter called "(LESSEE)", where LESSOR hereby grants, leases and lets exclusively to LESSEE for the purpose of exploring for, developing, producing and marketing oil and gas, together with any liquid or gaseous substances produced in association therewith, from the following described land situated in Tarrant County, Texas, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Subject to the other provisions therein contained, said lease provides for a primary term of two (2) years, from the date thereof, and as long thereafter as oil or gas or other substances covered therein are produced in paying quantities from the leased premises or from lands pooled therewith, or this lease is otherwise maintained in effect pursuant to the provisions therein.

An Executed copy of said Oil and Gas Lease is in the possession of LESSEE at its address indicated above.

Executed this the 26<sup>th</sup> day of August, 2009.

LESSOR:

LESSEE:

CITY OF FORT WORTH

XTO ENERGY INC.

*Fernando Cortez*

*Edmund S. R. [Signature]*

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: Assistant City Manager

Its: \_\_\_\_\_

ATTEST:

*Matt Henderson*  
City Secretary

NO M&C REQUIRED

APPROVED AS TO FORM AND LEGALITY:

By: *Joan J. Helsel*  
Assistant City Attorney

Date: 8/26/09

ACKNOWLEDGEMENTS

THE STATE OF TEXAS  
COUNTY OF TARRANT

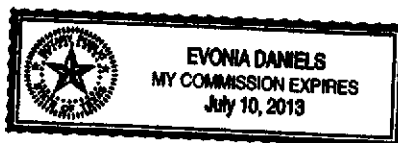
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BEFORE ME, Evonia Daniels the undersigned notary public, on this day personally appeared Fernando Costa, known to me to be the person whose name is subscribed to the foregoing instrument and, that (s)he has executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office this 26th day of August, 2009.

Evonia Daniels  
Notary Public, State of Texas

My Commission Expires: \_\_\_\_\_  
Commission Number: \_\_\_\_\_



THE STATE OF TEXAS  
COUNTY OF TARRANT

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§  
§

This instrument was acknowledged before me this 31st of September, 2009, by Edwin S. Ryan, Jr. as SrVP Land Administration of XTO Energy Inc. on behalf of said corporation.

Charla F. Wilkes  
Notary Public, State of Texas

My Commission Expires: \_\_\_\_\_  
Commission Number: \_\_\_\_\_



## **Exhibit A**

11.531 acres more or less, more particularly described in the following four (4) tracts:

**Tract 1:**

Being 2.012 acres (87,653 square feet) of land situated in the E. Wilburn Survey, Abst. No. 1635, City of Fort Worth, Tarrant County, Texas, being a portion of that certain tract of land conveyed to River Park II, by deed recorded in Vol. 7657, Page 942, Deed Records, Tarrant County, Texas as conveyed by River Park II to City of Fort Worth, and described in Exhibit "A" of that certain Warranty Deed recorded in Volume 9263, Page 404, Deed Records, Tarrant County, Texas.

**Tract 2:**

Being 3.941 acres of land situated in the E. Wilburn Survey, Abst. No. 1635, City of Fort Worth, Tarrant County, Texas, being a portion of a tract of land conveyed to C. H. Brants and G. B. Barrett by deed recorded in Vol. 4926, Pg. 238, Tarrant County Deed Records, as conveyed by (1) American Federal Savings and Loan and (2) River Park II to City of Fort Worth, and described in Exhibit "A" as Park Area (West) of that certain Warranty Deed recorded in Volume 9263, Page 424, Deed Records, Tarrant County, Texas.

**Tract 3:**

Being 1.078 acres of land situated in the E. Wilburn Survey, Abst. No. 1635, City of Fort Worth, Tarrant County, Texas, being a portion of a tract of land conveyed to C. H. Brants and G. B. Barrett by deed recorded in Vol. 4926, Pg. 238, Tarrant County Deed Records, as conveyed by (1) American Federal Savings and Loan and (2) River Park II to City of Fort Worth, and described in Exhibit "A" as Park Area (East) of that certain Warranty Deed recorded in Volume 9263, Page 424, Deed Records, Tarrant County, Texas.

**Tract 4:**

4.5 acres, more or less, being all of Lot 2, Block 2, River Park Addition to the City of Fort Worth, situated in the Heirs of E. H. Burke Survey, Abstract 160 and the James Rogers Survey, Abstract No. 1265, Tarrant County, Texas, according to the plat recorded in Volume 388-152, Page 34 and 35 of the Plat Records of Tarrant County and being conveyed to City of Fort Worth, Texas by Replacement Deed of Gift recorded in D209112649, Deed Records, Tarrant County, Texas.

(River Park)